

# **SCOPING STATEMENT**

## **Shane Cross Outfitter/Guide Special Use Permit**

USDA Forest Service  
Douglas Ranger District  
Medicine Bow-Routt National Forests  
And  
Thunder Basin National Grassland  
Converse and Albany counties, Wyoming

### **Proposed Action**

The Douglas Ranger District of the Medicine Bow/Routt National Forests and Thunder Basin National Grassland is considering an application submitted by Shane Cross, Jay Powderhorn Ranch, LLC to obtain a fee special use permit to use National Forest System lands in the Cold Springs area of the Laramie Mountains for the purpose of operating a commercial recreational outfitter guiding service. The activities Mr. Cross proposes to conduct include hiking and backpacking, rock climbing, mountaineering, camping, horseback riding, cross-country skiing and fishing. Mr. Cross's application is not for guiding for sport hunting. The proposed permitted land uses would occur in an area that is approximately 15 miles by 20 miles and that includes private, State and Federal land in T.27-30N.R72-76W., 6<sup>th</sup> P.M. The proposed permitted use location(s) on Federal lands is shown on the enclosed map.

### **Purpose and Need for the Project**

A special use permit is *needed* by Shane Cross, and that authorization is required by the Forest Service, in order for him to cross and otherwise use NFS land for the *purpose* of operating a commercial recreational outfitting and guiding business enterprise on Federal land. The permit applicant has reasonably demonstrated that there are no suitable alternative routes of access or use areas that would accomplish the purpose and need for his applied use, or that would better minimize the possible environmental impact(s) below the level that could occur by permitting the proposed land use, and that the use applied for is environmentally appropriate and represents his 'access/use of last resort'.

## **Area Description**

The terrain in the project area is gently mountainous with some open and grassy valleys with defined perennial and ephemeral drainages. The elevation in the proposed use area is between **6,500 and 9,500** feet above mean sea level.

Forest Plan management direction for the Federal lands the proposed permit area is varied and emphasizes motorized recreation, the protection of big game winter range in forested areas and improving or maintaining the condition of rangeland at a satisfactory level, and locally as appropriate the protection and management of the ecosystem components of riparian areas.

Visual Resource Management objectives are to design and implement management activities to blend with the natural landscape. The Visual Quality Objective for the area is variable from partial retention to modification retention, classifications that allow management activities to visually dominate the original characteristic landscape locally.

Recreation Opportunity Spectrum classification in the proposed permit area varies from “primitive” through “semi-primitive motorized” recreation to a “roaded natural” landscape. Recreational uses predominate, including big game hunting. Livestock grazing occurs. Little recreational camping, hiking or mountain biking has been observed.

Sagebrush, grassland and forested community wildlife species such as prairie dogs, mule deer, elk, antelope, sage grouse and raptors, and other small and large mammals inhabit the area.

Cultural resources are known to exist locally, but may also occur in other areas in the permit area applied for. A cultural resource survey will be completed in areas where any potentially ground-disturbing activities could occur before any final decision on the use application is made. Sites identified during the surveys would be protected in accordance with Wyoming State Historic Preservation Officer direction.

## **Decision to be Made**

Through the environmental analysis process, the District Ranger will determine whether or not, and if so under what circumstances and requirements, an outfitter/guide special use permit would be issued to Shane Cross, and what stipulations would be made a part of the permit so as to protect natural resources and the environment while also accommodating the proposed use, and providing for public safety. Surface developments, including permitted uses, are required to be consistent with Medicine Bow National Forest and Thunder Basin National Grassland Plan direction, and applicable laws and regulations.

## **Relationship to Other Laws and Environmental Documents**

The Medicine Bow National Forest Land and Resource Management Plan of 1985, as amended provides standards, guidelines, and stipulations for the development or use of National Forest System lands. This proposed project tiers to that Plan. The statutory authorities to process applications and grant uses such as this outfitter/guide use permit are contained in a number of laws (acts) beginning with the Organic Act of 1897, the National Forest Roads and Trails Act of 1964, the Federal Land Policy and Management Act of 1976, and most recently the Alaska National Interest Lands Conservation Act of 19, and other laws.

## **Public To Comment**

The public is invited to provide comment and identify issues about the proposed issuance of an outfitter/guide land use permit to Shane Cross. Comments on this proposal should identify current uses and perceptions, as well as future needs and desires. Please submit your comments about this project to the U.S. Forest Service by **January 27, 2003**. Comments should be submitted to Norman L. Wagoner, District Ranger Medicine Bow-Routt National Forests and Thunder Basin National Grassland, Douglas Ranger District, 2250 East Richards Street, Douglas, WY 82633, Attention: Marcia Rose-Ritchie. Comments may also be sent via e-mail to: [mroseritchie@fs.fed.us](mailto:mroseritchie@fs.fed.us) . Please specify "Comments on the Proposed Shane Cross Outfitter/Guide Special Use Permit" in the subject line. Faxed comments will also be accepted at: 307-358-3072.

This request for public comment has also been mailed to other federal, state, and local agencies, adjacent land owners and individuals or organizations who may be interested in or affected by decisions related to the Patterson road use proposal.

Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record on this proposed action and will be available for public inspection. Comments submitted anonymously will be accepted and considered, however, those submitting anonymous comments will not have standing to appeal the subsequent decision under 36 CFR Part 215.

Additionally, pursuant to 7 CFR 1.27 (d), any person may request the agency to withhold a submission from the public record by showing how the Freedom of Information Act (FOIA) permits such confidentiality. Persons requesting such confidentiality should be aware that, under the FOIA, confidentiality may be granted in only very limited circumstances, such as to protect trade secrets. The Forest Service will inform the requester of the agency's decision regarding the request for confidentiality, and where the request is denied, the agency will return the submission and notify the requester that the comments may be resubmitted with or without name and address within 10 days.

For further information, contact Marcia Rose-Ritchie at: Medicine Bow-Routt National Forests and Thunder Basin National Grassland, Douglas Ranger District, 2250 East Richards Street, Douglas, WY, 82633, telephone 307-358-4690/1639.

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